



Working Together For Clean Air

September 17, 2001

Ash Grove Cement Company  
c/o Gerald J. Brown, Manager - Safety and Environment  
3801 East Marginal Way South  
Seattle, WA 98134

**EXECUTIVE DIRECTOR**

Dennis J. McLerran

**BOARD OF DIRECTORS**

**SNOHOMISH COUNTY COUNCIL, CHAIR**

Dave Somers

**SEATTLE**

Paul Schell, Mayor

**KING COUNTY EXECUTIVE**

Ron Sims

**KITSAP COUNTY COMMISSIONER**

Jan Angel

**PIERCE COUNTY EXECUTIVE**

John Ladenburg

**EVERETT**

Edward D. Hansen, Mayor

**BREMERTON**

Lynn S. Horton, Mayor

**TACOMA**

Bill Evans, Councilman

**MEMBER AT LARGE**

Janet Chalupnik

Re: Ash Grove Cement Company  
Notice and Order of Civil Penalty No. 9120

Dear Mr. Brown:

Thank you for the Consent Order and Assurance of Discontinuance signed August 9, 2001, and check #93178. The funds (\$2,000.00) from your check, when deposited to the Agency, are accepted in full payment of the unsuspended portion of Notice and Order of Civil Penalty No. 9120.

I have enclosed a conformed copy of the Consent Order for your records.

Thank you for your action to ensure compliance with Agency regulations and for joining with this Agency in efforts to achieve cleaner air.

Sincerely,

Mario Miller  
Supervising Inspector

MAM/kl  
Enclosure

cc: Laurie Halvorson, Agency Counsel  
Accounting  
Rosemary Busterna, Compliance System Planner  
Mario Miller, Supervising Inspector  
Rick Hess, Supervising Inspector  
Melissa McAfee, Inspector  
Elizabeth Gilpin, Inspector

Ph 206.343.8800

1.800.552.3565

Fax 206.343.7522

www.pscleanair.org

AGCS2M001385

AUG 14 2001

**PUGET SOUND CLEAN AIR AGENCY**  
a municipal corporation of the State of Washington  
110 Union Street, Suite 500  
Seattle, WA 98101-2038

VS.

**ASH GROVE CEMENT COMPANY**  
c/o Gerald J. Brown, Manager - Safety and Environment  
3801 East Marginal Way South  
Seattle, WA 98134

PUGET SOUND CLEAN  
AIR AGENCY

CIVIL PENALTY NO. 9120

CONSENT ORDER AND  
ASSURANCE OF  
DISCONTINUANCE

The Puget Sound Clean Air Agency issued and served Notice and Order of Civil Penalty No. 9120, dated the 16th day of February 2001, in the amount of \$3,000.00 to Ash Grove Cement Company. This penalty assessment was based upon violation(s) of Article 9 of Regulation I in the following particulars:

On or about the 21<sup>st</sup> day of November 2000, at 3801 East Marginal Way South in the city of Seattle, King County, state of Washington, you caused or allowed emissions of clinker from loader activity at the north end of the clinker storage shed with no dust control measures, in violation of Section 9.15(a).

Pursuant to RCW 70.94.435, Ash Grove Cement Company does hereby agree to an Assurance of Discontinuance from a violation of Section 9.15(a), Regulation I, and does agree to pay \$2,000.00 of Civil Penalty No. 9120 within thirty (30) days of the date of this order.

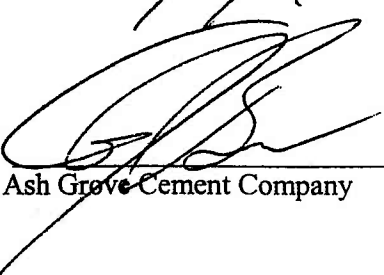
This Agency accepts this Assurance of Discontinuance and does hereby suspend \$1,000.00 of Civil Penalty No. 9120 on the condition that Ash Grove Cement Company:

1. Implements an amended Operations and Maintenance Plan to include clinker storage shed dust management practices by May 25, 2001; and
2. Has no unexcused violations of fugitive dust emissions from loader operations in the clinker storage shed for a minimum period of two (2) years after the date of this Consent Order.

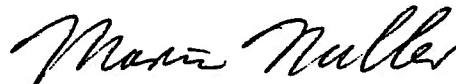
If any such unexcused violations occur within this two-year period, the suspended amount of \$1,000.00 is immediately due and payable.

Failure to perform the terms of this order by Ash Grove Cement Company will constitute grounds for the Puget Sound Clean Air Agency to seek injunctive or other relief from Superior Court.

Dated this 8/8/01 day of \_\_\_\_\_ 2001.

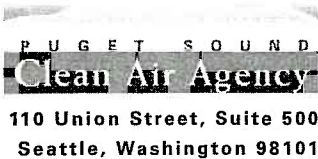
  
Ash Grove Cement Company

\_\_\_\_\_  
Dennis J. McLerran  
Executive Director

  
by Mario Miller  
Supervising Inspector

Certified Mail No. 7000 0520 0021 4792 7040

AGCS2M001386



Working Together For Clean Air

July 11, 2001

Certified Mail No. 7000 0520 0021 4792 7040

Ash Grove Cement Company  
c/o Gerald J. Brown, Manager - Safety and Environment  
3801 East Marginal Way South  
Seattle, WA 98134

Re: Ash Grove Cement Company  
Notice of Disposition on Application for Relief  
Notice and Order of Civil Penalty No. 9120

**EXECUTIVE DIRECTOR**

Dennis J. McLerran

**BOARD OF DIRECTORS**

**SNOHOMISH COUNTY COUNCIL, CHAIR**

Dave Somers

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**EVERETT**

Edward D. Hansen, Mayor

**BREMERTON**

Lynn S. Horton, Mayor

**TACOMA**

Bill Evans, Councilman

**MEMBER AT LARGE**

Janet Chalupnik

Dear Mr. Brown:

On March 29, 2001, we received your Application for Remission or Mitigation of Notice and Order of Civil Penalty No. 9120. We reviewed the Application and additional information provided at the May 10<sup>th</sup>, 2001 office-conference and are hereby proposing a Consent Order and Assurance of Discontinuance (copy enclosed) for your consideration.

We propose to suspend \$1,000.00 of the penalty, provided that you pay \$2,000.00; adhere to the special conditions outlined in the Consent Order; and have no repeat violations of fugitive dust emissions from loader operations in the clinker storage shed for a minimum period of two (2) years following the date of this Consent Order. If the proposed Consent Order and Assurance of Discontinuance is signed and returned within 10 days of your receipt of this letter, then this matter can be concluded. If you have any questions, or would like to discuss the settlement of this penalty further, please call me at (206) 689-4023.

If settlement is not reached, in accordance with RCW 43.21B.300 and 70.94.431, thirty (30) days after you receive this letter, the Civil Penalty becomes due and payable in the full amount of \$3,000.00, unless you appeal the Civil Penalty to the Pollution Control Hearings Board (PCHB). If you wish to appeal this penalty, you must submit an appeal to the PCHB, and provide a copy to this Agency, within this thirty (30) day period. I have enclosed an informal guide, published by the PCHB, to inform you of your rights and responsibilities in an appeal.

Sincerely,

Mario Miller  
Supervising Inspector

MAM/ml  
Enclosures

cc: Laurie Halvorson, Agency Counsel  
Accounting  
Fred Austin, Engineer  
Rosemary Busterna, Compliance System Planner  
Melissa McAfee, Inspector  
Elizabeth Gilpin, Inspector

Ph 206.343.8800

1.800.552.3565

Fax 206.343.7522

www.pscleanair.org

AGCS2M001387

110 Union Street, Suite 500, Seattle, Washington 98101-2038

206-343-8800 / 1-800-552-3565 / Fax 206-343-7522

Registration No. 11339

No. **37085**

Cert. Mail No. 7099 3220 0005 **NOTICE OF VIOLATION**

4517 0578  
Date of Violation: 11-21

10 2000 at 9:55-10:30 a.m.

Name <u>Ash Grove Cement Co.</u>		Responsible Person, Title <u>Gerald Brown, Environmental Manager</u>	
Location of Violation (Address) <u>3801 E. Marginal Wy S.</u>	City <u>Seattle</u>	Zip <u>98134</u>	County <u>KING</u>
Mailing Address <u>Same</u>	City, State <u>WA</u>	Zip	Phone <u>206-6235596</u>

**DID UNLAWFULLY CAUSE OR ALLOW VIOLATION OF:**

REGULATION I OF THE PUGET SOUND AIR POLLUTION CONTROL AGENCY FOR:

- ☐ Section 5.05(e) Failure to develop and implement an operation and maintenance plan.
- ☐ Section 6.03(a) Failure to obtain Notice of Construction approval prior to construction/installation/establishment of a source.
- ☐ Section 9.03(a) Visible emissions in excess of 20% opacity for periods aggregating more than 3 minutes/hour.
- ☐ Section 9.11(a) Emission of air contaminant in quantities/characteristics/duration so as to be injurious or interfere with enjoyment of life/property.
- ☐ Section 9.12(b) Emission of odor-bearing air contaminants without use of best available control technology.
- ☒ Section 9.15(a) Emission of fugitive dust without ~~use of best available control technology~~ reasonable precautions to control emissions.
- ☐ Section 9.15(b) Deposition of mud, dirt, or debris from vehicle or load onto a paved public roadway.
- ☐ Section 9.15(c) Emission of fugitive dust from manufacturing process equipment or control apparatus.
- ☐ Section 9.16 Failure to apply VOC-containing material using spray equipment in an enclosed area with filtered exhaust and vertical stack.
- ☐ Section 9.20 Failure to operate and maintain equipment in good working order.
- ☐ Failure to meet Order of Approval No. \_\_\_\_\_, Condition No. \_\_\_\_\_
- ☐ Section \_\_\_\_\_
- ☐ Section \_\_\_\_\_

FACTS ALLEGED TO CONSTITUTE A VIOLATION Emissions of clinker from loader activity at north end of clinker storage shed with no dust control measures

**CORRECTIVE ACTION ORDER**

Under the provisions of Section 3.09 of Regulation I and RCW 70.94.211 you are ordered to submit a written report within ten (10) days of receipt of this Notice describing the necessary corrective action you have taken or propose to take, including a schedule, to achieve continuous compliance with the regulations, and take the following necessary corrective action:

Show your Operations and Maintenance Plan (Reg I Section 7.09(b)(5)(i)) procedures to control dust for loader activities as well as the clinker storage shed. Show how this incident was logged & addressed as part of your O&M records.

Issued By: M. McLife  
Air Pollution Inspector

Date/Time 11-29-00

Received By: \_\_\_\_\_

Signing this Notice is not an admission of guilt

# ASH GROVE CEMENT COMPANY



WESTERN REGION

May 24, 2001

Mr. Neal Shulman  
Puget Sound Clean Air Agency  
110 Union Street, Suite 500  
Seattle, WA. 98101-2038

Re: Request for Mitigation, Notice and Order of Civil Penalty No. 9120

Dear Mr. Shulman:

Thank you for taking your time to meet with us on May 10, 2001. In the conference, PSCAA suggested that some additions pertaining to the Clinker Shed be made into our current Operations and Maintenance Plan. In response, I have attached a copy of pages 7 and 8 of the revised section 5 of the O&M Plan. The additions are reflected on page 8 of this section.

Please contact me should PSCAA have other suggestions.

Yours truly,

Gerald J. Brown  
Manager Safety and Environment

cc: HV  
CM

AGCS2M001389



ASH GROVE CEMENT COMPANY  
SEATTLE PLANT  
OPERATION AND MAINTENANCE PLAN

**(5) CONTROL MEASURES TO BE EMPLOYED TO ASSURE COMPLIANCE WITH  
SECTION 9.15 OF REGULATION I**

**Main Baghouse**

The D/C specialist will check the Static pressure on each compartment to ensure that proper draft remains on the baghouse. Magnehelics installed for each bag house compartment are checked monthly to ensure that the pressure remains in the range of 2-8 inches. The D/C Specialist documents these records in the inspection log located. in the D/C PM Files

**Stock Piles**

Water sprays are used as necessary to control fugitive emissions. The spray system is checked for operation prior to receiving raw material by the Production Supervisor.

**Road Maintenance**

A water truck for washing roads along with road sweepers are operated as needed to control fugitive emissions from plant vehicle traffic. The Production Department normally operates this equipment and schedules needed maintenance as indicated by the pre-operation checklist performed by the operator.

**Conveyor Systems**

- a. A Conveyor Specialist is dedicated for inspection and maintenance of the plant conveyor systems. As a member of the Maintenance Department, his/her duties include regularly inspection of conveyors, identifying potential or existing conveyor system problems and promoting proper conveyor operation. The Maintenance Supervisor schedules routine inspections.

The Conveyor Specialist will inspect all conveyors at least once per month.

- 1. Inspections will include as a minimum the following items:

- a. Inspection will be done with the conveyor operating and will include:
  - 1. Scrapers (both primary and precleaning if applicable),
  - 2. Side and tail skirting,
  - 3. Impact, troughing, tracking and return rollers,
  - 4. Hopper and chute leakage,
  - 5. Belt tracking.

ASH GROVE CEMENT COMPANY  
SEATTLE PLANT  
OPERATION AND MAINTENANCE PLAN

2. Work orders for necessary repairs are entered into the computer on the Maintenance Administration Program System (MAPPS).
- b. Where used to prevent carry back to control fugitive emissions, the belt cleaning devices are checked at least monthly by maintenance for defects.
- c. Where provided to contain or reduce dust emissions, enclosures and conveyor catch pan will be periodically inspected and cleaned as needed; partition, screens and enclosures will be kept in place during conveyor operation and the dump box cover on the dump truck will be used when discharging from the diversion bin.
- d. Deficiencies noted during inspections will be reported using the plant work order (MAPPS) system and assigned a priority.

**Clinker Shed**

- a. Prior to transferring clinker to the shed, the Production Shift supervisor will check the following:
  1. **Penthouse Door**  
Ensure the door to the penthouse is closed.
  2. **North Rollup Door**  
Ensure the shed door is closed
  3. **Penthouse Dust Collector**  
Verify the Dust Collector is operating.
  4. **Contents**  
Check the shed to ensure space is available to hold the clinker.
- b. During clinker transport to the shed, the Production Shift supervisor will check the following:
  1. Ensure the door to the penthouse and north doors are closed and the penthouse dust collector is operating.
  2. Ensure that the shed is not being over filled.
  3. Ensure that loader access into the shed hopper area is being maintained.
- c. **Penthouse Ductwork Cleaning**  
The D/C specialist will check the ductwork monthly. The duct pressure will be checked for draft to detect changes and a visual examination made for signs of wear.

# ASH GROVE CEMENT COMPANY



"WESTERN REGION"

December 18, 2000

Ms. Melissa McAfee  
Puget Sound Air Pollution Control Agency  
110 Union Street, Suite 500  
Seattle, WA. 98101-2038

Re: NOV # 37085

Dear Mr. McAfee:

On Tuesday, November 21, you noted a d  
clinker shed. At the time, a loader was pre  
vehicles transporting clinker into the shed.  
failure that occurred in the G-Cooler. The to  
G-Cooler to be shut down. With the G-Cooler  
transport the clinker to the storage silos. The  
location available to store clinkers while repair  
chosen over shutting down the kiln to avoid po.

The emission occurred only during the time the r  
transport. Normally, water would have been used  
activity, however the use of water in this case wou  
harden inside the storage shed. The loader operator  
would minimize dust generation. We believe that th  
have been taken and know of no other control method that could have been employed in this  
case.

Please call me if I can be of further assistance.

Sincerely yours,

Gerald J. Brown  
Manager, Safety and Environment

cc: HV

*Response  
by  
JH  
3/25*

end of the  
date  
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Its to  
ly  
s

ment) to  
operate in a manner that  
any reasonable precaution that could

AGCS2M001392



February 16, 2001

Certified Mail No. 7099 3220 0005 4517 6112

Ash Grove Cement Company  
c/o Henrick Voldbaek, Plant Manager  
3801 East Marginal Way South  
Seattle, WA 98134

**EXECUTIVE DIRECTOR**

Dennis J. McLerran

**BOARD OF DIRECTORS**

**CITY OF SEATTLE, BOARD CHAIR**

Margaret Pageler

**KING COUNTY EXECUTIVE**

Ron Sims

**KITSAP COUNTY**

Charlotte Garrido, Commissioner

**PIERCE COUNTY EXECUTIVE**

Doug Sutherland

**SNOHOMISH COUNTY COUNCIL**

Dave Somers

**EVERETT**

Edward D. Hansen, Mayor

**BREMERTON**

Lynn S. Horton, Mayor

**TACOMA**

Bill Evans, Councilman

**MEMBER AT LARGE**

Janet Chalupnik

Re: Notice and Order of Civil Penalty No. 9120

Enclosed is Civil Penalty No. 9120 in the amount of \$3,000.00 for Notice of Violation No. 37085. This Notice of Violation was issued for causing or allowing emissions of fugitive dust without taking dust control measures.

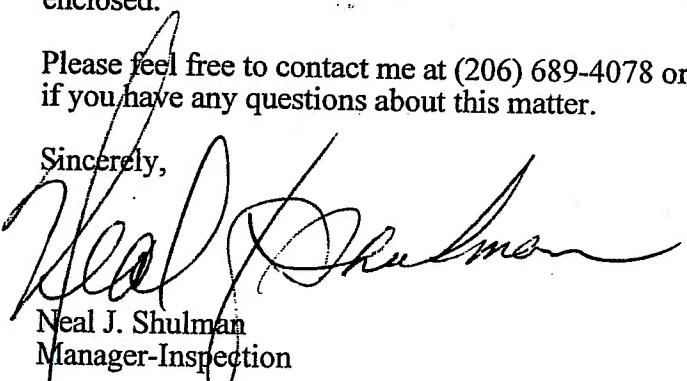
Within 30 days of receiving this penalty, you must do one of the following:

1. Pay the penalty;
2. Request mitigation of the penalty; or
3. Appeal the penalty to the Pollution Control Hearings Board.

Information regarding requesting mitigation or appealing the penalty is also enclosed.

Please feel free to contact me at (206) 689-4078 or 1-800-552-3565, ext. 4078 if you have any questions about this matter.

Sincerely,

  
Neal J. Shulman  
Manager-Inspection

NJS/cl  
Enclosures

✓ cc: Gerald Brown, Environmental Manager

Ph 206.343.8800

1.800.552.3565

Fax 206.343.7522

www.pscleanair.org

AGCS2M001393

**PUGET SOUND CLEAN AIR AGENCY**  
a municipal corporation of the state of Washington  
110 Union Street, Suite 500  
Seattle, Washington 98101-2038

VS

**ASH GROVE CEMENT COMPANY**  
c/o Henrick Voldbaek, Plant Manager  
3801 East Marginal Way South  
Seattle, Washington 98134

**NO. 9120**

**NOTICE AND ORDER  
OF CIVIL PENALTY**

You are hereby notified that, pursuant to Chapter 70.94 RCW and Notice of Violation No. 37085, a copy of which has been previously provided to you or your agent, you have violated Regulation I, Section 9.15(a), of the Puget Sound Clean Air Agency in the following particulars:

On or about the 21st day of November 2000, at 3801 East Marginal Way South in the city of Seattle, King County, state of Washington, you caused or allowed emissions of clinker from loader activity at the north end of the clinker storage shed with no dust control measures, in violation of Section 9.15(a).

As a result of the foregoing violation(s), a penalty is assessed against you as follows:

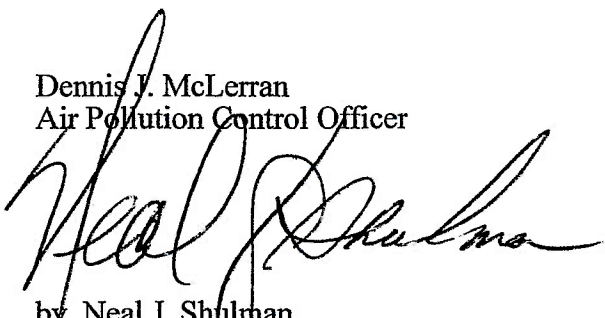
For the violation(s) that occurred on or about the 21st day of November 2000, wherein you caused or allowed emission of fugitive dust without reasonable precautions to control emissions, in violation of Regulation I, Section 9.15(a), of the Puget Sound Clean Air Agency, a penalty is assessed against you in the amount of three thousand dollars (\$3,000.00).

The full amount of this penalty is due and payable within thirty (30) days of receipt of this notice, unless within such time a request for hearing is filed. (See reverse side for both mitigation procedures and appeal procedures.)

In the event the full amount of this penalty is not paid on or before thirty (30) days of receipt of this notice, or a request for mitigation has not been made to this Agency, or a request for hearing has not been made to the Pollution Control Hearings Board of Washington and the Air Pollution Control Officer, action will be commenced in court to recover such penalty.

Dated this 16th day of February 2001.

Dennis J. McLerran  
Air Pollution Control Officer

  
by Neal J. Shulman  
Manager - Inspection

Certified Mail No. 7099 3220 0005 4517 6112

# ASH GROVE CEMENT COMPANY



"WESTERN REGION"

March 27, 2001

Mr. Neal Shulman  
Puget Sound Clean Air Agency  
110 Union Street, Suite 500  
Seattle, WA. 98101-2038

Re: Request for Mitigation, Notice and Order of Civil Penalty No. 9120

Dear Mr. Shulman:

Ash Grove Cement Co. request a meeting with PSCAA to discuss the above Notice and Order of Civil Penalty.

Yours truly,

Gerald J. Brown  
Manager Safety and Environment

cc: HV

**AGCS2M001395**